REMARKS

Reconsideration and allowance of this application are respectfully requested. By this communication, claims 10 and 12 are cancelled without prejudice or disclaimer to the underlying subject matter. Claims 1-9,11, 13, and 14 are amended, and claim 15 is added. Support for the subject matter recited in the newly added claim 15 can be found, for example, in original claims 1, 3, 4, and 7. Claims 1-9, 11, and 13-15 remain pending.

In numbered paragraph 4 on page 2 of the Office Action, claims 9 and 10 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants respectfully traverse this rejection. However, in an effort to expedite prosecution, claim 9 is amended and claim 10 is cancelled without prejudice. Withdrawal of this rejection is respectfully requested.

In numbered paragraph 6 on page 3 of the Office Action, claims 8, 12, and 13 are rejected under 35 U.S.C. §112, second paragraph, as indefinite. Applicants respectfully traverse this rejection. However, claim 12 has been cancelled without prejudice and claims 8 and 13 amended, thereby rendering this rejection moot. Withdrawal of this rejection is respectfully requested.

In numbered paragraph 8 on page 4 of the Office Action, claims 1, 2, 11, and 14 are rejected under 35 U.S.C. §102(b) as anticipated by *Siegeritz* (U.S. Patent No. 5,696,839). Applicants respectfully traverse this rejection.

As shown in exemplary Figures 1-3, Applicants embodiments are directed to a process for achieving optimal color reproduction of an image. In this process, input image data is processed with respect to first positions that are associated with a first color space. The first positions are transformed into transformation positions that are

associated with a second color space. The image data is also input into a model image production system to obtain model positions that are associated with the second color space. The model image production system includes light modulators and spectrally modulates an intensity of light to determine a light modulation value of light modulators in response to the input image data. When the transformation positions and the model positions are determined, second positions in the second color space are established.

Independent claims 1 and 15 broadly encompass the aforementioned features by reciting in part, transforming first positions into transformation positions, modeling a response to the image data that includes model positions in a second color space, and determining second positions in a second color space based on the transformation positions and the model positions wherein the second positions are a combination of the transformation positions and the model positions.

Applicants respectfully submit that the *Siegeritz* patent fails to anticipate Applicants' claims because it fails to disclose or suggest at least the aforementioned features.

Siegeritz discloses an image reproduction system that transforms color solids of different color reproduction processes to reproduce an image. In the method, color values are calculated based on an initial color solid. Color values are then calculated for a target color solid. Both the initial color solid color value and the target color solid color value are transformed into a second color space. The transformed color values of the initial color solid are then converted into the color values of the target color solid based on a transformation table.

Siegeritz fails to disclose a combination of features that includes determining second positions in a second color space based on transformation positions and model positions. At best, *Siegeritz* teaches that initial color values are converted into target color values through the use of transformation values. There is no evidence that *Siegeritz* either contemplates or appreciates the use of a model image representation system to generate model positions in a second color space as claimed. Nor does the Examiner map a feature of *Siegertz* to Applicants' model image representation system.

Given the described features, Applicants respectfully submit that *Siegeritz* cannot disclose determining second positions in a second color space wherein the determined second positions are a combination of transformation positions and model positions.

To properly anticipate a claim, the document must disclose, explicitly or implicitly, each and every feature recited in the claim. *See* Verdegall Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). By the foregoing discussion, withdrawal of this rejection is respectfully requested.

In numbered paragraph 11 on page 6 of the Office Action, claims 9 and 10 are rejected under 35 U.S.C. §103(a) as unpatentable over *Siegeritz*. Applicants respectfully traverse this rejection. Because claims 9 and 10 depend from independent claim 1, Applicants respectfully submit that these claims are allowable by virtue of this dependency. Accordingly, withdrawal of this rejection is respectfully requested.

In numbered paragraphs 12 and 13 on pages 6 and 8, respectively, of the Office Action, claims 3-6, 8, and 13 are alleged to be unpatentable over *Siegertz* and

additional secondary references. For example, claims 3-6 stand rejected under 35 U.S.C. §103(a) as unpatentable over *Siegertz* in view of *Marsden et al* (International Patent Publication No. WO 98/58493); and claims 8 and 13 are rejected under 35 U.S.C. §103(a) as unpatentable over *Siegertz* in view of *Roetling* (European Patent Publication No. 1014698). Applicants respectfully traverse these rejections.

Claims 3-6, 8, and 13 depend either directly or indirectly from independent claim 1. Thus, these claims are allowable by virtue of at least this dependency. In addition, Applicants submit that these claims are further distinguishable over the applied references by the additional features recited therein. Claims 3-6 recite, among other features, that the transformation positions spread a transformation portion of a second color space and the model positions spread a model portion of the second color space. The Examiner alleges that the use of two color separation tables as disclosed by *Marsden* is analogous to the aforementioned features. Even if this interpretation of *Marsden* is accurate, which Applicants do not acquiesce that it is, *Marsden* still fails to teach or suggest at least the modeling of received image data to output model positions in a second color space. At best, the combined teachings of *Siegretz* and *Marsden* arguably disclose and/or suggest the blending of transformed color values.

In summary, the *Siegretz*, *Marsden*, and *Roetling* when applied individually or in the combination relied upon by the Examiner patents fail to disclose or suggest every feature recited in Applicants' claims. For at least this reason and those discussed in detail above, a *prima facie* case of obviousness has not been established. Withdrawal of this rejection is respectfully requested.

In numbered paragraph 14 on page 9 of the Office Action, the Examiner acknowledges that claim 7 recites allowable subject matter. Applicants thank the Examiner for this acknowledgement and have added new claim 15 that includes the elements of claim 7 and its corresponding base claims. Thus, by the foregoing amendments and remarks, Applicants respectfully submit that claims 1-9, 11, and 13-15 and this application are in condition for allowance. In the event any issues remain, the Examiner is invited to contact Applicants' attorney identified below.

Respectfully submitted,

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